

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK DIVISION**

VARIOUS PLAINTIFFS,

Plaintiffs,

vs.

ASTRAZENECA PHARMACEUTICALS LP,
et al.,

Defendants.

Civil Action No: 16-08121	Boyd
Civil Action No: 16-08895	Hunter
Civil Action No: 17-00194	Adkins
Civil Action No: 17-00196	Savage
Civil Action No: 17-00198	Pierre
Civil Action No: 17-00201	Aubrey
Civil Action No: 17-00202	Gilyard
Civil Action No: 17-00203	Toney
Civil Action No: 17-00204	Watkins
Civil Action No: 17-00206	Stewart
Civil Action No: 17-00207	Graves
Civil Action No: 17-00208	Scott
Civil Action No: 17-00211	Carruthers
Civil Action No: 17-00212	Lee
Civil Action No: 17-00213	Wilburn
Civil Action No: 17-00215	Wilkerson
Civil Action No: 17-00216	Layton
Civil Action No: 17-00217	Gutierrez
Civil Action No: 17-00218	Hawkins
Civil Action No: 17-00219	Hudson
Civil Action No: 17-00500	Lloyd
Civil Action No: 17-00761	Massengill
Civil Action No: 17-02597	Starks
Civil Action No: 17-02700	Petties
Civil Action No: 17-02744	Robertson
Civil Action No: 17-02999	Peterson
Civil Action No: 17-03056	Henderson
Civil Action No: 17-03191	Boothe
Civil Action No: 17-03192	Holloway
Civil Action No: 17-03193	Valentine
Civil Action No: 17-03197	Allen
Civil Action No: 17-03200	Morris
Civil Action No: 17-03204	Kelley
Civil Action No: 17-03207	Houzer
Civil Action No: 17-03209	Bouler
Civil Action No: 17-03210	Carroll
Civil Action No: 17-03211	Hunter-Malone
Civil Action No: 17-03265	Kilian
Civil Action No: 17-03302	Lane
Civil Action No: 17-03316	Bowens
Civil Action No: 17-03343	Stukes
Civil Action No: 17-03346	Laurent
Civil Action No: 17-03364	Zellars
Civil Action No: 17-03365	Brewington
Civil Action No: 17-03366	Chisley

STIPULATED AGREEMENT REGARDING PERSONAL JURISDICTION

STIPULATED AGREEMENT REGARDING PERSONAL JURISDICTION

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs, by undersigned counsel, and Defendants AstraZeneca Pharmaceuticals LP and AstraZeneca LP (“Stipulating Defendants”), by undersigned counsel, as follows:

1. Whereas, as of the date of this Stipulated Agreement, May 16, 2017, Plaintiffs have filed fifty-five (55) actions in the District of New Jersey seeking damages for kidney injuries allegedly caused by ingestion of proton pump inhibitors (“PPIs”) manufactured and sold by Stipulating Defendants (“Presently Filed Cases”).

2. Whereas, as of the date of this Stipulated Agreement, of the Presently Filed Cases, forty-five (45) cases have been filed by Plaintiffs who do not reside in the State of New Jersey (“Presently Filed Nonresident Cases”):

Civil Action No: 16-08121	Boyd
Civil Action No: 16-08895	Hunter
Civil Action No: 17-00194	Adkins
Civil Action No: 17-00196	Savage
Civil Action No: 17-00198	Pierre
Civil Action No: 17-00201	Aubrey
Civil Action No: 17-00202	Gilyard
Civil Action No: 17-00203	Toney
Civil Action No: 17-00204	Watkins
Civil Action No: 17-00206	Stewart
Civil Action No: 17-00207	Graves
Civil Action No: 17-00208	Scott
Civil Action No: 17-00211	Carruthers
Civil Action No: 17-00212	Lee
Civil Action No: 17-00213	Wilburn
Civil Action No: 17-00215	Wilkerson
Civil Action No: 17-00216	Layton
Civil Action No: 17-00217	Gutierrez
Civil Action No: 17-00218	Hawkins
Civil Action No: 17-00219	Hudson
Civil Action No: 17-00500	Lloyd
Civil Action No: 17-00761	Massengill
Civil Action No: 17-02597	Starks

Civil Action No: 17-02700	Petties
Civil Action No: 17-02744	Robertson
Civil Action No: 17-02999	Peterson
Civil Action No: 17-03056	Henderson
Civil Action No: 17-03191	Boothe
Civil Action No: 17-03192	Holloway
Civil Action No: 17-03193	Valentine
Civil Action No: 17-03197	Allen
Civil Action No: 17-03200	Morris
Civil Action No: 17-03204	Kelley
Civil Action No: 17-03207	Houzer
Civil Action No: 17-03209	Bouler
Civil Action No: 17-03210	Carroll
Civil Action No: 17-03211	Hunter-Malone
Civil Action No.: 17-3265	Kilian, Pamela
Civil Action No.: 17-3302	Lane, Marilyn
Civil Action No.: 17-3316	Bowens, Danny
Civil Action No.: 17-3364	Zellars, Randell
Civil Action No.: 17-3365	Brewington, Michael
Civil Action No.: 17-3366	Chisley, Ethel
Civil Action No.: 17-3343	Stukes, Dorothy
Civil Action No.: 17-3346	Laurent, Inez

3. Whereas, with regard to the Presently Filed Nonresident Cases, the Stipulating Defendants have, to date, challenged personal jurisdiction and venue in the District of New Jersey.



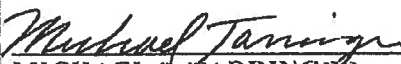
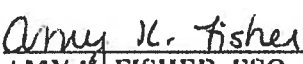
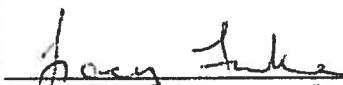
4. Whereas, the Stipulating Defendants still contend that personal jurisdiction is lacking in the District of New Jersey with regard to the Presently Filed Nonresident Cases and, further, that venue is improper, notwithstanding the proposed Amended Complaint provided by counsel for Plaintiffs on May 1, 2017.

5. Notwithstanding, for the convenience of the Court and in the interest of judicial economy, and in consideration of the mutual promises and agreements made herein, Plaintiffs and Stipulating Defendants agree as follows:

- a. Stipulating Defendants agree to waive any existing defense concerning personal jurisdiction and venue in the District of New Jersey that currently exists with regard to the Presently Filed Nonresident Cases.
- b. With regard to any action(s) seeking damages for kidney injuries allegedly caused by ingestion of PPIs manufactured and sold by Stipulating Defendants filed after the date of this Stipulated Agreement in the District of New Jersey by any plaintiff(s) who do not reside in the State of New Jersey ("Future Filed Nonresident Case(s)"), Stipulating Defendants agree not to challenge personal jurisdiction and venue for a period of eight (8) months from the date each action is filed ("Preservation Period for Future Filed Nonresident Cases"). The parties agree that during this period, any and all rights to challenge personal jurisdiction and venue in the District of New Jersey for Future Filed Nonresident Case(s) is preserved.
- c. Following the expiration of the Preservation Period for each Future Filed Nonresident Case, if the Stipulating Defendants does not challenge personal jurisdiction and/or venue with regard to any Future Filed Nonresident Case within 30 days, the Stipulating Defendants agree to waive, at that time, all rights to challenge personal jurisdiction and venue in the District of New Jersey for said case.
- d. The parties agree that all Presently Filed Nonresident cases and Future Filed Nonresident cases will complete a Plaintiff Fact Sheet, for which the applicable form and schedule will be addressed under a separate order of the Court. However, the parties agree that the Plaintiff Fact Sheet will provide pharmacy records or other records demonstrating use of the proton pump

inhibitor product(s) alleged in the complaint and medical records demonstrating diagnosis of the injury alleged in the complaint and/or the appropriate authorizations to obtain such information.

IT IS SO STIPULATED.

<p>COUNSEL FOR PLAINTIFFS:</p> <p> <u>5-16-17</u></p> <p>CHRISTOPHER A. SEEGER Dated SEEGER WEISS LLP 77 Water Street, 26th Floor New York, NY 10005 Phone: 212-584-0700 Email: cseeger@seegerweiss.com</p>	<p>COUNSEL FOR DEFENDANTS: ASTRAZENECA PHARMACEUTICALS LP AND ASTRAZENECA LP</p> <p> <u>5-17-17</u></p> <p>DEBRA M. PERRY, ESQ. Dated GREGORY JOSEPH HINDY, ESQ. JAMES J. FREBERRY, ESQ. MAKENZIE WINDFELDER, ESQ. MCCARTER & ENGLISH, LLP 4 Gateway Center, 100 Mulberry Street Newark, NJ 07102 Phone: 973-622-4444 Email: dperry@mccarter.com; ghindy@mccarter.com; jfreebery@mccarter.com; mwindfelder@mccarter.com</p>
<p>COUNSEL FOR PLAINTIFFS:</p> <p> <u>5-16-17</u></p> <p>MICHAEL S. TARRINGER Dated NASTLAW LLC 1101 Market Street, Suite 2801 Philadelphia, PA 19107 Phone: 215-923-9300 Email: dnast@nastlaw.com</p>	<p>COUNSEL FOR DEFENDANTS: ASTRAZENECA PHARMACEUTICALS LP AND ASTRAZENECA LP</p> <p> <u>May 16, 2017</u></p> <p>AMY K. FISHER, ESQ. Dated ICE MILLER LLP One American Square, Suite 2900 Indianapolis, IN 46282-0200 Phone: 317-5842 Email: Amy.Fisher@icemiller.com</p>
<p>COUNSEL FOR PLAINTIFFS:</p> <p> <u>5-17-17</u></p> <p>TRACY A. FINKEN, ESQ. Dated ANAPOL WEISS 1040 Kings Highway North, Suite 304 Cherry Hill, New Jersey 08034 Phone: 215-735-1130 Email: tfinken@anapolweiss.com</p>	

4

SO ORDERED


Claire C. Cecchi, U.S.D.J.

. May 19, 2017